

Serial No.: 09/965,753  
Attorney Docket No.: F-299

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

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In re patent application of:

Joseph L. Gargiulo

Serial No.: 09/965,753

Filed: September 28, 2001

Confirmation # 2985

) Attorney Docket No.: F-299

)

) Customer No.: 00919

) Examiner: Mary Da Zhi Wang Cheung

) Group Art Unit: 3621

)

) Date: January 26, 2005

Title: Postage Metering System Having Telephone Answering Capability

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
Alexandria, VA 22313-1450

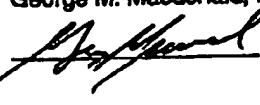
**APPELLANT'S BRIEF ON APPEAL**

Sir:

This is an appeal pursuant to 35 U.S.C. § 134 and 37 C.F.R. §§ 1.191 et seq. from the final rejection of claims 1-27 of the above-identified application mailed August 26, 2004. Claims 1-27 stand at least twice rejected. This Brief is in furtherance of the Notice of Appeal filed in this case on November 26, 2004. Accordingly, this brief is timely filed. The fee for submitting this Brief is \$500.00 (37 C.F.R. § 1.17(c)). Please charge Deposit Account No. 16-1885 in the amount of \$500.00 to cover these fees. The Commissioner is hereby authorized to charge any additional fees that may be required for this appeal or to make this brief timely or credit any overpayment to Deposit Account No. 16-1885.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, on January 26, 2005 (Date of Transmission).  
George M. Macdonald, Reg. No. 39,284 (Name of Registered Rep.)



(Signature)

January 26, 2005 (Date)

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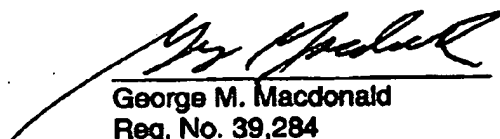
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**F. Conclusion**

In Conclusion, Appellant respectfully submits that the final rejection of claims 1-27 is in error for at least the reasons given above and should, therefore, be reversed.

Respectfully submitted,



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